

ESTTA Tracking number: **ESTTA576416**

Filing date: **12/13/2013**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding.	91199481
Applicant	Plaintiff Los Angeles Dodgers LLC
Other Party	Defendant Loyola Academy
Have the parties held their discovery conference as required under Trademark Rules 2.120(a)(1) and (a)(2)?	Yes

Motion for an Extension of Answer or Discovery or Trial Periods With Consent

The Close of Plaintiff's Trial Period is currently set to close on 02/09/2014. Los Angeles Dodgers LLC requests that such date be extended for 90 days, or until 05/10/2014, and that all subsequent dates be reset accordingly.

Time to Answer :	CLOSED
Deadline for Discovery Conference :	CLOSED
Discovery Opens :	CLOSED
Initial Disclosures Due :	CLOSED
Expert Disclosure Due :	CLOSED
Discovery Closes :	CLOSED
Plaintiff's Pretrial Disclosures :	03/26/2014
Plaintiff's 30-day Trial Period Ends :	05/10/2014
Defendant's Pretrial Disclosures :	05/25/2014
Defendant's 30-day Trial Period Ends :	07/09/2014
Plaintiff's Rebuttal Disclosures :	07/24/2014
Plaintiff's 15-day Rebuttal Period Ends :	08/23/2014

The grounds for this request are as follows:

- *Parties are unable to complete discovery/testimony during assigned period*
- *Parties are engaged in settlement discussions*
- *Significant progress has been made toward the resolution of this matter. The parties continue to negotiate the terms of a relatively complicated settlement agreement addressing, among other things, ownership issues. Specifically, during the month of October, Applicant's counsel suggested an alternative resolution to the opposition proceeding, which Opposer's outside counsel discussed with Opposer's in-house counsel, and which Opposer's in-house counsel then discussed internally, but which was ultimately found to be unacceptable to Opposer. The same was communicated to Applicant's counsel. Also during the month of October, Opposer's in-house counsel had numerous discussions regarding very specific issues in the draft agreement relating to the ownership, use and registration of Applicant's mark. During the*

month of November, Opposer's in-house counsel revised and approved a revised draft agreement, and circulated it to multiple business groups for approval and to an affiliated entity for approval. Also during the month of November, Applicant's counsel proposed a second alternative resolution to this opposition proceeding, which Opposer has discussed internally, and has advised that it would prefer to consider (if necessary) after Applicant's review of the draft agreement. This month, following numerous internal discussions, Opposer's affiliated entity and relevant business groups approved the draft agreement, and Opposer's in-house counsel forwarded the draft agreement to Opposer's outside counsel. Opposer's outside counsel has now forwarded the draft agreement to Applicant's counsel for review and consideration. Additionally, Opposer has served written discovery requests upon Applicant, which cover multiple marks over a significant period of time. The parties would like to agree to an extension of Applicant's response deadline in light of the settlement progress that has been made, but would require an extension of the deadlines in the opposition proceeding in order to do so.

Los Angeles Dodgers LLC has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

Los Angeles Dodgers LLC has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Respectfully submitted,

/Maryann E. Licciardi/

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